Theology vol 125

THE CASE OF THE *Corporation* and *Teſt* Acts CONSIDERED:

As they relate to the

Church, and the *Civil Government*.

In a LETTER *to a* Member of PARLIAMENT.

PART the FIRST.

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A

LETTER

TO A

Member of PARLIAMENT.

SIR,

THE hiſtorical account of the *Teſt-Act* * has been conſidered already in *Remarks on the Hiſtory of the Teſt*: I ſhall now conſider the *reaſon* of it, in a double view; as it relates to the *Church*, and the *Civil Government*. I ſhall

* Printed for *J. Roberts*, 1733.

ſhall briefly repreſent the firſt at preſent. And here it will be neceſſary to conſider how this matter ſtands with reſpect to *religion*, and the inſtitution of the Goſpel; and how the *Church of England* is particularly affected by it.

As to the *former*, The Lord's-ſupper is a ſacred ordinance inſtituted by Chriſt, in perſon, with the twelve Apoſtles, and deſigned as a *monumental remembrance* of himſelf, and particularly of his death, to the end of the world; and *examining* and *judging our ſelves*, that we may not be *condemned*, is required to a ſuitable performance of this ſervice. It has been all along obſerved in the chriſtian church, from the firſt beginning of it to this day: ſo we find it was in the firſt churches planted by the Apoſtles, in the book of the *Acts*; and in the particular injunction of the Apoſtle to the church of *Corinth*. * It was always eſteemed a prime ordinance of the chriſtian worſhip; though in a great part of the chriſtian church, for ſeveral ages, it has been carried to an undue reverence, and run into great ſuperſtition.

ONE

* 1 Epiſt. xi.

ONE plain deſign of the inſtitution was the *union* of all the diſciples of Chriſt, in their reverence and affection of him their common Lord and Maſter, and their love and concern for one another, as the members of the ſame body; that they may have fellowſhip one with another, and with their common head. 'Tis the *communion of his body and blood*, as well as *doing it in remembrance of him*, which is the whole nature of the inſtitution. 'Tis a poſitive command of Chriſt to all his diſciples and ſubjects; and whatſoever reſtrictions are laid on them, which hinder their acting according to his command, muſt needs create great diſorders in his kingdom, and juſt complaints of thoſe who cauſe them. The mixing things foreign to the declared ends of the appointment, is a manifeſt *preſumption*, in any who cannot produce power and order from him to do ſo, and cannot but put conſcientious chriſtians upon enquiring, *by what authority they do it*, and *who gave them that authority*. Additional rites, and different ends, alter the ſtamp, and change the coin, at leaſt make it exceptionable and ſuſpicious. They give it a

new

new *form*; and the requiring and inſiſting upon things ſcrupled and diſtreſſing to ſincere chriſtians, is aſſuming an authority, which ſurely may juſtly be queſtioned.

By this account it plainly appears that the Lord's-ſupper could not be deſigned for any, but ſuch who believed him to be the *Meſſiah* and the *Saviour* of the world, and profeſſed a willingneſs to own his character and comply with his undertaking. For what honour could an *infidel* do him, by attending his table? And what advantage could a wilful harden'd *ſinner* propoſe to gain, by joining in the ſervice? His death can avail them nothing, and the remembrance of it be of no uſe, but to aggravate their guilt and condemnation. What power on earth has any right to apply a ſacred inſtitution of the chriſtian church to the purpoſes of civil government, and the affairs of this world, or make that a qualification for one thing which was deſigned by the author of it to quite another? and which beſides has a natural tendency to diſtract the mind and divert the attention from the only true and proper deſign of it, and while 'tis made a *qualification*

cation for an office helps to *diſqualify* the ſubject, and unfit it for a due attendance; not to ſay any thing of thoſe who are obliged to be *witneſſes*, and to obſerve others behaviour about them. What an *indignity* is offered to the head and king of the church, to require a ſacred inſtitution, which was calculated for the ſpiritual benefit of his faithful diſciples, to be attended upon only to qualify for being an *exciſeman*, or a *tide-waiter*? How low is our *reverence* for the author of it? How little our *thankfulneſs* for the ordinance itſelf, when it is debaſed to purpoſes ſo mean and contrary and unworthy? No pretence of ſecurity to any church can juſtify ſuch a proſtitution. Chriſt never deſigned the ſacrament to be a means of *ſecular* employments, an engine of *diviſion* among his followers, or the *badge* of a party; or that men ſhould be *bribed* by places to receive unworthily, or that his church ſhould be raiſed upon the *ruins* of men's civil rights.

By altering this law one great temptation *to eat and drink unworthily* would be removed. The language of this act, in conjunction with many men's cir-

cumſtances, is plainly this: Come *take this bread* ----- or ſtarve. *Drink this cup* ----- or ſee your families ruined and undone. 'Tis true men ought to be proof againſt temptation, and to *obey God rather than man.* But the tryal in this caſe is very great, when there is a competition between their *conſcience* and their *livelihood*; and their conduct very criminal, who lay ſtumbling-blocks in the way of their fellow chriſtians. If it be ſaid, The law *intends* no ſuch thing, and men are ſufficiently *warned* againſt it; I anſwer, the law directly *intends* that men ſhould communicate in order to qualify, which is itſelf, upon chriſtian principles, very improper and utterly unwarrantable: and it is found by long experience, to be a great *occaſion* of profanation and abuſe, which would be removed by altering it. It has been often obſerved, that this practice has been the occaſion in many, of loſing the ſerious ſenſe of religion which they formerly ſeemed to have, and been one cauſe of the preſent infidelity and contempt of things ſacred, which are ſo flagrant among us.

Nor was this cuſtom ever known in the ſcripture times, or the firſt ages of the chriſtian church. I ſuppoſe it would have been thought wholly foreign to the nature, and a great abuſe and profanation of it. 'Tis indeed, like *tranſubſtantiation* in the church of *Rome*, a mere *human invention*, to ſerve a ſecular purpoſe, and of a late date too. There was no ſuch thing heard of at the time of the *Reformation* from Popery, though the greateſt danger was from that quarter, and a continual oppoſition made to it every where. No *proteſtant* church in the world knows any ſuch thing, beſides ourſelves, or ever thought it proper and fit for ſuch a purpoſe. It was never known in *England* till 1672, in King *Charles* the Second's reign. I deſire to know upon what ground of reaſon it was then introduced, and is continued to this day. Had they a clearer light into the nature of the Lord's-ſupper, than all the chriſtian and proteſtant world beſides? Did they ſhew a greater reverence of divine appointments, and of the honour of the author of it? Was it not a mere contrivance of worldly *Politicians*, to ſerve

ſecular ends, without any regard to either? Is it not evidently a perverting the true deſign of the ordinance, and the greateſt diſhonour to it, to lay ſuch an obligation upon ſome of the worſt of men, to partake of it, only for the ſake of a civil employment, tho' often with great reluctance of mind, and recoiling of conſcience, and ſometimes in circumſtances the moſt ſcandalous and reproachful to religion? If there were no other conſideration in all the world, and this were the ſingle reaſon for it, it were alone ſufficient, under a chriſtian and proteſtant government, to alter it. And ſurely 'tis *high time* it was done; and the long continuance of it only makes it the greater grievance, and the reaſon the ſtronger for removing it.

But let us conſider the matter more particularly as it affects the *Church of England*. Here I obſerve in the firſt place, That it would be no *prejudice* to it. The common Plea is, That it would deprive the Church of a legal ſecurity, and remove one of the *Barriers* for its ſafety. But if men will ſuſpend their prejudices, and coolly conſider the matter,

matter, it will appear without any ſolid ground or tolerable pretence for it. The church muſt be conſidered either as a *ſpiritual* ſociety, or a *congregation of faithful men*, * *where the word of God is preached, and the ſacraments duly adminiſtred, according to Chriſt's appointment*, which is the *true* notion of a chriſtian church, and *common* to this, with all other chriſtian churches; and then I ſuppoſe, the diſpoſal of civil employments is nothing to the church of Chriſt, who declared *his kingdom was not of this world.* Her ſpiritual powers, however derived, have no connection with the affairs of government. All ſhe has to do with reſpect to *Kings* and thoſe *in authority*, is to *pray* for them, that under them her members may *lead quiet and peaceable lives*, or in her own phraſe, *be hurt by no perſecution*; and to *remember to be ſubject to principalities and powers*, and to *obey magiſtrates.*

Or elſe it muſt be conſidered as a church *eſtabliſhed by law*, and with dignities and emoluments annexed to it. Perhaps there may be more danger here, and greater reaſon of jealouſy and concern.

* Acts xix.

concern. But this is ſuppoſed without any reaſon. For the alteration of the ſacramental Teſt has no manner of relation to the doctrine and worſhip of the church contained in the *Articles*, *Homilies*, and *Book of common prayer*; or to any of the revenues and preferments of it, which is all the eſtabliſhment reaches to. Not a ſingle article of the church's *doctrine*, nor the leaſt *ſecular* advantage, would be at all affected by it. It leaves them where it found them, without the leaſt alteration either in its conſtitution or intereſt, and ſecured by many laws, againſt the leaſt injury and harm. Not *a pin* of the tabernacle, or a *pinacle* of the temple would be removed. None of its dignities or revenues touched, nor any man capable of the leaſt degree of either, without conforming to the eſtabliſhed rule. And if as a late author * tells us, whom I ſuppoſe no body will ſuſpect, as wanting either knowledge or affection to the church, *The greateſt ſecurity to the church is the ſupremacy of the Crown, whereby, as a body ſpiritual, it is united to the King, as head, who*

* Anſwer to the Examination of the Codex, p. 112.

who is thereby its protector and defender; the explaining theſe acts will not, it is to be hoped, deſtroy or any way affect the regal *ſupremacy*. The church's *greateſt* ſecurity therefore will remain untouched, and ſhe will be ſo far out of danger. If it be ſaid, But they are an *additional ſecurity* however; I can only ſay, They appear to me juſt ſuch a ſecurity to the church, as raiſing the banks of a *rivulet*, a hundred miles off, would be againſt its overflowing the city of *London*. 'Tis very true we ſhould be in this caſe very ſecure from an inundation from that rivulet; but then it is as true, that we ſhould be in no manner of danger of it, if the banks were taken down as low as they were before they were raiſed.

BUT becauſe this is a point of great conſequence in the preſent debate, I ſhall argue it more diſtinctly. 'Tis plain the repealing theſe laws, ſo far as they affect the proteſtant diſſenters, would not *directly* deprive the church of any privilege the law has given her: her whole *frame*, and all her *temporalities*, would remain; her *biſhops* be ſtill *among the princes of her people*, and her *clergy* have

have the ſame rights and revenues which they now enjoy. No legal power would be taken from her, tho' the laws about civil employments ſhould uudergo the alteration propoſed. Nor would it have any *certain* tendency to her prejudice; for it would not introduce any thing which could leſſen her real intereſt, or pave the way for any attempt upon her. There is no connection between the *diſſenters* having juſtice done them, and the *church* being in any danger. All good ſubjects being poſſeſſed of every natural right, is ſurely very conſiſtent with the favour of the government to a legal eſtabliſhment; otherwiſe there muſt be a miſtake either in the *eſtabliſhment*, or in the *favour*; neither of which will be allowed. The church can be in no danger upon this account, for one right can never have a real tendency to hurt another, *right* and *truth* being the ſame.

Nor is there really any *probability* that their capacity to places ſhould give any occaſion or opportunity for her ſuppoſed enemies to do her hurt. If they had it in their will, this would not put it into their power. For this cannot be ſuppoſed to reduce her *Majority.*

jority. Her members ſtill would be vaſtly more numerous, than all the proteſtant diſſenters put together, were their numbers and influence as great as the moſt *frighted* among the churchmen, or the moſt *ſanguine* among themſelves ever imagined; and that Majority which gave her *a being* as an *eſtabliſhed church*, and has always ſupported her, when ſhe did not encroach upon the rights of others, would ſtill do ſo, if ſhe ſhould have enemies fooliſh enough to make an attempt upon her. And ſuppoſe it poſſible that ever her members ſhould become a *Minority*, in reference to the whole body of diſſenters, which, conſidering her vaſt advantages, is a wild imagination; yet 'tis not at all likely they ſhould ever *agree* againſt her, but would rather chooſe a full liberty under the preſent eſtabliſhment, than put themſelves at the mercy of any *rival Hierarchy:* And ſo the ſuppoſed *Majority* would become a *Minority*, when it came to exert itſelf upon ſuch an occaſion.

HOWEVER 'tis utterly unreaſonable to imagine that it can ever be in the power of the diſſenters to diſtreſs the church

by vertue of any weight this admiſſion would give them, when few of them comparatively have intereſt enough to make uſe of that *capacity*; and, as things now ſtand, *occaſional conformity* opens the way to many others: though how long that may be thought fit, when they have waited for relief ſo long in vain, may poſſibly deſerve ſome conſideration. Nor can it be wondered at that men ſhould not like always to *crouch* under a burden, and be obliged to do what, at beſt, they count an hardſhip, and is diſagreeable to them.

But if, in ſpite of reaſon and probability, the church will fancy herſelf to be in danger, if any thing be done which can *poſſibly* leſſen her preſent *Majority*; let it be conſidered, That thoſe who come in, or keep in the preſent eſtabliſhment, upon mere ſecular views, are no real acceſſion to her ſtrength. No church has any valuable members but thoſe who are ſo upon conviction, and are perſuaded that 'tis their duty to God, to join in her communion. Members who are made by incapacities, and other penalties, are bought dear, and worth little. The method of gaining them

them, is criminal, and they will prove accordingly; for *hypocrites* add no real weight to any community, ſacred or civil, and not at all to be depended upon: 'Tis more probable they will *betray* the ſociety than *ſupport* it.

If, after all reaſon and appearance to the contrary, the church will apprehend danger from taking away a fancied ſecurity, and ſay, *Where ſhall* we *ſtop?* ---I anſwer, It will be fit to ſtop when *Britiſh* proteſtants have all their natural rights allowed them: And if the diſſenters ſhould demand any more, the church may depend upon their being more than merely denied. And with good reaſon; for there is no pretence, I think, for any man to demand a ſhare in the privileges of a *voluntary ſociety*, who will not conform to its laws. But if they demand no more than their natural right, as being good members of the civil community, ready to give all manner of ſecurity to the government, ſhare in all its burdens, and run all its risks; the church's fears are a mere *panick*, and her uneaſineſs only *vapours*. And let me ask in my turn, *Where will* she *ſtop?* If every thing muſt be done for her which ſhe imagines has a ten-

dency to her farther ſecurity, by ſtrengthening the eſtabliſhment, and weakening the ſeparation; ſhe may not only demand the rejecting the propoſed repeal, but the repeal of every other law, which might give her apprehenſions, and the making all new ones, which might ſet her perfectly at reſt. Why may ſhe not demand, that no diſſenters ſhall be admitted to the meaneſt poſts, upon *occaſional conformity?* That none in the ſeparation ſhall be admitted to *educate* their own children? That none ſhall ſit in *parliament*, or *vote* in the election of repreſentatives, as was once projected? That all the penalties, appointed by former laws, ſhall be executed upon them for their *nonconformity?* Nay, and the writ *de hæretico comburendo* be revived, that ſhe may be armed with all the terrors of the *Inquiſition?* For ſurely if nothing muſt be denied her however contrary to the natural rights of others, equally at leaſt as good ſubjects, that ſhe may have nothing *poſſible* to apprehend, one claim is as good as another, though not at preſent inſiſted upon, or ever deſigned to be.

So

So little pretence is there for any cry of danger to the eſtabliſhed church, or the leaſt damage to it, though they have been very ignorantly, or very injuriouſly repreſented as *enemies* to it. The truth is, *The body* of the preſent diſſenters have no real *ill-will* to the church, or deſire the leaſt harm to it. They eſteem it a noble branch of the *Reformation*, and which contains many great and excellent perſons, of eminent worth and uſefulneſs. They heartily wiſh its *proſperity* and *purity*; and account it a great *hardſhip*, as well as *infelicity*, to ſtand excluded from the *national eſtabliſhment*, by terms of conformity which bear hard upon their conſcience, and which they are not ſatisfied to comply with. 'Tis with reluctance they ſee themſelves *thruſt* out of the church, and would willingly join the eſtabliſhment, and unite in one body, upon *equitable terms*: And in an age when *profaneneſs* and *infidelity* ſo much abound, and are ſo generally complained of, one would think it were agreeable to all the rules of true *policy*, that all the hearty friends of *chriſtianity* ſhould unite in one body, in a common cauſe, and againſt a com-

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mon enemy ; and not be divided, and kept at a diſtance, by leſſer *differences* of opinion, and needleſs *impoſitions* upon the conſciences of men.

But let us conſider the matter in another light. As the removal of the *Teſt* would be no injury to the eſtabliſhed church, ſo I doubt not to make it appear, in the next place, That it would be a real *advantage* to it, and contribute greatly to its honour and welfare. For it would be pleaſing to *God*, who *loves righteouſneſs*, and *hates robbery for a burnt offering*. The church as well as the *throne is eſtabliſhed by righteouſneſs*. It would make her *honourable* in the eyes of all wiſe and good men, who would obſerve with pleaſure her not encouraging the proſtitution of a ſacred inſtitution, or encroaching upon the civil liberties of others ; but expreſſing a noble zeal for impartial juſtice, and the equal rights of their fellow ſubjects ; and it would remove the *prejudices* which naturally ariſe even in honeſt minds, when they think themſelves injured, and a ſpirit encouraged which leads to all the lengths of perſecution ; and would greatly *diſpoſe* to a better underſtanding in

in matters of difference, and to mutual good-will.

BUT particularly it would be a great relief to the minds of many of her *own members*. I know ſome perſons of great eminency and virtue, who conſtantly receive the *Lord's-Supper* in the eſtabliſhed church, as an *ordinance of Chriſt*, who yet are not ſatisfied to *qualify* themſelves by receiving it, but are greatly ſcandalized at the practice. But 'tis ſpecially grievous to *conſcientious clergymen*, who are ſenſible of the great *reverence* due to the holy communion, and the danger of *unworthy* receiving. They are obliged, when they give notice of the communion, to repreſent the matter in theſe awful words ---- "My Duty is "to exhort you to conſider the dignity "of this holy myſtery, and the great "peril of unworthy receiving. There-"fore if any of you are blaſphemers of "God, hinderers, or ſlanderers of his "word, adulterers, or be in malice, or "envy, or in any other grievous crime, "repent ye of your ſin, or elſe come "not to this holy table, leſt after "taking of the holy ſacrament, the "devil enter into you, as he entered

into

" into *Judas*, and fill you full of all " iniquity, and bring you to deſtruction " of body and ſoul." Accordingly in the *Rubrick* 'tis preſcribed to the *Curate*, " That if any who ſignify their names " in order to communicate, be open " notorious wicked livers, he ſhall call " him and advertiſe him that in any " wiſe he preſume not to come to the " Lord's Table, till he hath openly de- " clared himſelf to have truly repented " and amended his former naughty life, " that the congregation thereby may be " ſatisfied." And ſuppoſing the communicant abſent when the warning was given, another exhortation is given at the time of receiving ---- " As the bleſ- " ſing is great, if with true penitent " hearts, and lively faith, we receive " the bleſſed ſacrament; ſo is the dan- " ger great, if we receive it unworthily." The prieſt ſays to them who come to receive, " You who do truly and ear- " neſtly repent of your ſin, and are in " love and charity with your neigh- " bour, and intend to lead new lives, " following the commands of God, " draw near with faith, and take this " holy ſacrament with comfort." This is very ſerious and exceeding ſuitable to the

the caſe. But what a piece of ſolemn *pageantry* muſt this appear, when the miniſter and all the congregation know, that if he offers to reſtrain any who come only for qualification, whatſoever his character is, it is at his peril. This naturally leads people to think ill of religion, and of the miniſters of it, who with this excellent *form* before them, adminiſter it to perſons no way qualified, either by *ſcripture* rule, or the declarations of their own *office*. Indeed it would be more conſonant to truth, if the prieſt, inſtead of the foregoing exhortation, did thus addreſs himſelf ---- "Ye who do truly and earneſtly deſire "an office under his Majeſty, and are "in love with the profits thereof, and "will continue in it till you can get a "better; draw near in faith, and take "this holy ſacrament that you may "have a legal title to your place." This, I confeſs, would appear ſhocking, and yet this is the truth of the caſe; and the diſtinction, in ſome places of great reſort, has been publickly made between them who come for *devotion*, and them who come for a *qualification*.

WHAT an hardſhip muſt this be to a pious miniſter, who muſt admit *libertines* and *infidels* to partake of the *childrens bread*, or by expenſive and vexatious proſecutions be in danger of being deprived of his own. How ſenſible is the grievance felt, to be obliged to give the elements to perſons apparently the moſt improperly diſpoſed to receive it, in violation of his engagements, and contrary to the ſenſe of his own mind; to thoſe, for example, who are utterly *ignorant* of the nature of the ordinance, or notoriouſly *wicked* in their whole conduct, without any ſigns of repentance, and concerning whom no degree of charity can lead them to think favourably; it may be who make a *jeſt* of the ordinance, and the author of it too; or which perhaps to ſome may be a great grievance, to *hereticks* and *ſchiſmaticks*, who ſtatedly join in *fanatical conventicles*, or deride the *authority of the church in controverſies of faith*, and the *power given it over the conſciences of men*; or elſe be proſecuted for damages in the courts of juſtice, and be taxed for keeping a good conſcience. Is not this leading him into temptation, and laying *a ſtumbling-*

ſtumbling-block in our brother's way? His ſituation by theſe laws is made that of a *confeſſor*, when in all other reſpects proviſion is made for the eaſe and dignity of the prieſthood.

IT may be ſaid, They may *refuſe* them, and in a limited time give their reaſons. It is agreed: But ſuppoſe, however ſtrong their reaſons may appear to themſelves, the *Ordinary* ſhould judge otherwiſe, what is the conſequence, but ruin to an honeſt man for doing his duty: for the party refuſed may bring his action of damage for the loſs of his place, not being admitted to qualify. Suppoſe again, that the offender be *convict*, and excommunication itſelf follow; the miniſter notwithſtanding muſt publiſh the *abſolution* the *Ordinary* gives, even to the moſt notorious debauchee, who hath given no other evidence of his repentance, but paying the *commutation* money and the *fees* of the court; and if the miniſter refuſe to admit him, it is ſtill at his peril. If therefore there is a due concern for the honour of *Chriſt*, and the chriſtian inſtitutions, any tenderneſs and compaſſion to conſcientious miniſters, who often groan

under the burden, or a desire that stumbling-blocks which have been laid in the way, to the great increase of *infidelity* and *hypocrisy*, may be removed; we humbly hope it cannot but appear desirable to have this alteration made.

I shall only add, That it will greatly strengthen the *protestant interest*, and unite protestants among themselves. The excellency of *union*, and the mischief of *separation*, are popular topicks, often insisted upon, and sometimes with warmth and zeal. And to be sure distance and difference tend to weaken the protestant interest, and are a great prejudice to it. When brands of infamy are fastened upon one particular set of protestants, only for different sentiments in religion, by incapacitating laws, and they are publickly mark'd out as unfit to serve the government, only upon that account; it will naturally raise jealousy and ill-will on the one side, and uneasiness and dissatisfaction on the other. Thus they are divided among themselves, to the prejudice of the whole; and the common enemy, always watchful and active, makes his advantage against them both. That such ill-will has

has been harboured in the breaſts of many againſt the proteſtant diſſenters, is too notorious, by the odious *terms* under which they have been repreſented, the *prejudices* againſt them inſtilled into the minds of many from their early youth, and the inſults and *violence* which have been ſometimes offered them; not to ſay, from the *principle* which ſome have not ſcrupled to own and propagate, That 'tis better to be a *papiſt* than a *preſbyterian.*

WHEREAS if theſe *dividing* laws were removed, our breaches would gradually leſſen, allowance would be made for different ways of thinking about controverted *rites,* and *ſpeculative* differences; and a greater zeal would appear in defence of our common *chriſtianity,* and the more important points in which we are all agreed. However, it would bring them to a nearer union of *heart* and *affection,* if not of judgment and opinion, when no injury is done them, no unkindneſs ſhewed them; but reſtraints and hardſhips always breed a diſtance, and naturally raiſe reſentment and diſlike. The removing the marks

marks of diſtinction, and ſetting them upon the level with their fellow ſubjects, as to their civil rights, would be an effectual means to promote love and good-will on each ſide, and remove the ground of uneaſineſs and contention between them; and would render proteſtants a more conſiderable and conſiſtent body in the eyes of the *proteſtant* world, and of their *popiſh* enemies too.

AND becauſe the *nearer* the union, the *greater* the affection is like to be, may I be allowed to move in the cloſe of all, Whether is the more eaſy and reaſonable ſide of the caſe, for the church to *remit* of her rigour, and relax the preſent impoſitions, which ſhe owns to be in themſelves *indifferent*, and in their own nature *alterable*, upon ſufficient reaſons, *i. e.* when the church thinks fit; or for the diſſenters to comply againſt the *convictions* of their conſcience, and the *perſuaſions* of their own minds; which one would think were alone ſufficient to decide the matter, if there was a due diſpoſition to *union*, and regard to ſcripture *precepts* and *examples*.

I SHALL

I SHALL ſend you the *ſecond* part next week, and am, Sir, with great deference and reſpect,

Your Humble Servant.

ERRATA.

Page 13. in the Note, for *Actis* read *Art.*
Pag. 16. line 6. from the bottom, for *to* read *for*.

Theology vol 125.

THE CASE OF THE *Corporation* and *Test* Acts CONSIDERED:

As they relate to the

Church, and the *Civil Government*.

In a LETTER *to a* Member of PARLIAMENT.

PART the SECOND.

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A

LETTER

TO A

Member of PARLIAMENT.

SIR,

I HAVE conſidered the *Corporation* and *Teſt Acts*, as they relate to the *church*, in a former Letter; I beg leave now to repreſent them as they relate to the *civil government*, which they were deſigned to ſecure againſt perſons ill affected towards it, and who might endanger it.

Here

Here I ſhall undertake to ſhew, That they are a manifeſt *injury* to the natural *rights* of the ſubject; That they are ſo far from being any ſecurity, that they are on the contrary a great *prejudice* to the *civil government*; That the relief from them is *a debt* of honour due to the proteſtant diſſenters; and that they are not *neceſſary* to the purpoſe originally intended by them, the excluſion of papiſts from poſts of truſt and power.

THAT they are an *injury* to the natural *rights* of the ſubject is evident; that is, ſuppoſing the ſubject well affected to the government, willing to give ſufficient ſecurity, and not to have made any forfeiture by miſbehaviour. To clear this matter we muſt conſider the nature of *civil government*, and what was the original reaſon of mens combining into civil ſociety; it was not to their prejudice in any reſpect, but for their common benefit, and the greater ſecurity of every right they enjoyed before. Every ſubject of government has an equal right to all the privileges of government; and any confinement, or reſtraint, without forfeiture and offence, is a wrong done him; for the natural rights which originally belonged to

to him were not deſigned to be leſſened or removed, but confirmed and ſecured by civil government.

BUT becauſe the affair of *natural rights* has been lately talked of with great confuſion, it will be neceſſary to ſettle the *notion* of it in a few words. Natural rights relate either to mens *perſons* and *properties*, which are of a civil conſideration, and fall under the care of the government; or to their *religious opinions*, and what relates to the worſhip of God. There is a great difference between theſe two, and they ought never to be blended together. The ſervice of our perſons, and part of our property, may be neceſſarily imployed, and parted with, for the ſupport of the government, and ſecurity of the community; which yet is not ſo properly *giving up* our natural rights, as an acknowledgment and *tribute* to the civil magiſtrate, for the care of the publick, and protection of the ſubject: But even that ſhould not be *partial* and unequal, and a greater weight laid upon one ſort of good ſubjects than another. But our *religious opinions* are of quite another kind, and as they don't affect the civil government, the civil government has nothing to do with

with them, or to lay any reſtraints upon that account; provided there be nothing in them prejudicial to the government, and inconſiſtent with the publick peace; for otherwiſe they fall under the cognizance of the civil magiſtrate, as in caſes of any other diſorder.

And for the ſame reaſon that any man has a right to his *private* opinion, in relation to religion, which every body allows, he has a right to *own* his opinion, and act according to it, that is, to make a profeſſion of the worſhip of God in the way he thinks agreeable to his will; for thus much his *opinion* neceſſarily *binds* him to, and this is a right it is not in his power to give up. 'Tis a debt due to the *ſupreme governor* of the world, and which cannot be alienated by himſelf, and ought not to be violated by any other; nor can he be juſtly brought under any civil diſadvantage merely upon that account.

'Tis ſaid the *Church eſtabliſhed* is a part of the *conſtitution* and *interwoven* with it, and that diſſenters muſt neceſſarily be enemies to the *church*, whatſoever friends they are to the *ſtate*. But this

this is ſaid with great impropriety, and without any reaſon. Our *conſtitution*, properly ſpeaking, is nothing elſe but the *form of our government*, the King, Lords, and Commons of *England*. Whatſoever is enacted by this authority, while it continues, would then be a part of the conſtitution, whether it relate to the church, or ſtate; and the *act of indulgence* to proteſtant diſſenters, is in that ſenſe as truly a part of the conſtitution, as the *eſtabliſhed church*; that is, 'tis eſtabliſhed by the ſame authority, or by the laws of the land.

CIVIL *incapacities* by law are in the nature of a *penalty*, and puniſhment without offence is a real wrong and manifeſt injuſtice. If I am a good member of the civil ſociety, I ſtand upon a level with every other member, conſidered as ſuch; and my religious opinion, and way of worſhip, has nothing to do with my natural rights, as a member of civil ſociety. 'Tis no forfeiture or offence to the government, if I behave my ſelf with duty and reſpect to it, that I worſhip God in ſomewhat a different manner from my neighbour; and no reaſon or juſtice will allow me to be excluded, or diſabled for the ſervice, or

truſt, for which I am capable, and to which I have a natural right. *Incapacities* are always inflicted for *crimes*, and are a brand of *infamy* in common repute. He who *ſuborns for perjury*, or *forſwears* himſelf in a court of record, is incapable of being an *evidence* in court. A popiſh *recuſant convict* is incapable of being an *executor* or *adminiſtrator*, or *guardian* to a child, or of *enjoying of any place or preferment, civil or military*. He who is inſtrumental in *ſending any perſon to a foreign priſon*, in breach of the *habeas corpus* act, is diſabled for *bearing any office in the kingdom*. The proteſtant diſſenters are *diſabled* indeed; but for what civil *crime*, or forfeiture? They are total *conformiſts* to the ſtate, are ſworn to no foreign juriſdiction, hold no opinions contrary to the preſent ſettlement, but are zealouſly affected to it, and to the principles upon which 'tis founded.

THAT all ſuch methods of guarding and ſecuring any eſtabliſhment which debar men of their natural and civil rights, are in themſelves *unjuſt*, I prove by this *medium*. All methods which have a direct tendency to deſtroy the *ultimate end* of civil ſociety, and

and for which civil government was inſtituted and deſigned, are unjuſt: But every method of guarding an eſtabliſhment, which breaks in upon mens natural and civil rights, has ſo far a direct tendency to defeat and deſtroy the ultimate end of civil government: Therefore every ſuch method is unjuſt. The firſt of theſe propoſitions, I ſuppoſe, is undeniable; for ſurely no man will ſay, That the civil magiſtrate may juſtly employ his power, in any method which has a direct tendency to defeat the ultimate end of it, and for which civil government was itſelf inſtituted; this would be to uſe power to the deſtruction of the end for which power was lodged in his hand. The other of the premiſes admits a plain and eaſy proof. For the ultimate end of civil ſociety, and the inſtitution of government, is *publick happineſs*, or the welfare of the *whole community* and of every *individual*, as far as 'tis conſiſtent with the welfare of the whole: I ſay *publick happineſs*, which conſiſts in every man's enjoying and exerciſing thoſe natural and civil rights, which he may juſtly claim, and has never forfeited. Hence then I thus argue: If publick happineſs is the ultimate end of civil ſociety and government; then

every method which breaks in upon mens unforfeited natural and civil rights, has ſo far a direct tendency to defeat and deſtroy the ultimate end of civil ſociety and government: But this is the ultimate end of it; and therefore.

If it be ſaid, There are other inſtances of *confinement* and reſtraint by law, of natural rights, and in other caſes, without any complaint of injury, as in the *liveries* of the city, and the *qualifications* of members of parliament; where the electors to offices, in the one caſe, are confined to a certain number of the ſame ſociety, that is, the *livery*; and ſuch only are capable of being choſe, in the other caſe, who are of ſuch a *degree* of value. I anſwer, That this by no means comes up to the caſe: for any man is capable of the livery upon a call, and who will be at the expence of it, and ſo *acquire* a capacity; and a man who arrives to ſuch an eſtate by his own induſtry, or the favour of others, is *immediately* capable of it, and his incapacity ceaſes, notwithſtanding his *religious opinion*; that alters not the caſe, or has any concern in it, which only relates to the preſent caſe. And tho' ſuch confinements

finements and limitations by law were probably deſigned to prevent inconvenience in popular elections in numerous bodies, and which often create confuſion and diſorder, or to be a greater ſecurity to the publick ſafety; yet it may well be queſtioned whether ſuch incapacities of otherwiſe qualified ſubjects, be a real ſervice to the government, and be not ſome injury to natural rights. I am ſure there have been times, when this latter would have excluded from parliament ſome of the moſt able and uſeful perſons who ever ſat in it.

'Tis ſaid, We are not *born* to places. I anſwer, Nor are we born to be *phyſicians*, *lawyers*, *tutors*, or *truſtees*; but I believe it would be reckoned a great hardſhip and injury, to be debarred by law from being ſuch. It was thought a ſign the perſecution in *France* was far advanced, and the proteſtants deſtined to deſtruction, when they were diſqualified by a publick edict, from ſuch profeſſions and truſts. Every *Briton* is born to all the privileges of *Britons*, as ſuch. And tho' no man has a right to this or that *particular* office, whether diſſenter or churchman, tho' he has taken never ſo

many

many ſacraments, or be never ſo conſtant a conformiſt, yet he has a natural right to a *capacity* of it, in common with every other. It has been therefore very unfairly inſinuated, That 'tis not *liberty* but *power* * that is aimed at, when they who are moſt offended at granting this *liberty* to others, are the greateſt affectors of *domination* themſelves.

But the *law* has taken away that *capacity* whatſoever it was, and all laws are ſome abatement of liberty; and the publick good muſt over-rule private claims of right, though not forfeited by any crime. 'Tis true the *publick good* is the *ſupreme law* of all ſociety, and muſt take place of private pretenſions, and that is the benefit of the individuals; and for this reaſon 'tis often made uſe of to give colour to oppreſſive and perſecuting meaſures. But how does the publick good require the laying under incapacities a great number of avowed and zealous *friends*, and the loſs of ſo many *hands* to the publick ſervice? When the publick good requires the parting with private property, as in

* Non libertatem, ſed dominationem. *Concio ad Synod. à S. Liſle.*

in paying taxes, *&c.* every one ſhares his proportion of the publick *benefit*, and has an *equivalent* allowed for private damage. But what *benefit* have the diſſenters for being *incapacitated* for publick ſervice, or uſeful employments? Beſides, is every thing *right* and *equity* which is once a law? Then there can be no ſuch thing as *eſtabliſhing iniquity by a law*; at that rate there never was any *perſecution* in *France*, and the *Jews* reaſoned right, when they ſaid, *We have a law, and by that law he ought to die.* A preſent eſtabliſhment by law does not alter the reaſon of things; and if it be a reaſon why we ſhould patiently *ſubmit*, while 'tis in force, as we have long done; it can be no reaſon why we ſhould not endeavour to *remove* a grievance, unleſs the diſſenters are the only ſubjects of *Great Britain* who have forfeited the right of humbly *petitioning* the Legiſlature for a liberty allowed to all other ſubjects.

I SHALL conclude this argument with the *weighty* words of the Lords proteſt in the year 1689: "Becauſe we "cannot ſee how it can conſiſt with "the law of God, common equity, or "the

" the rights of any free-born ſubject,
" that any one be puniſhed without a
" crime. If it be a crime not to take
" the Sacrament according to the uſage
" of the church of *England*, every one
" ought to be puniſhed for it; which
" no one affirms. If it be no crime,
" then thoſe who are capable, and
" thought fit for employments by the
" King, ought not to be puniſhed by a
" law of excluſion, for not doing what
" it was no crime to forbear."

I SHALL next ſhew that theſe incapacitating laws are ſo far from being any ſecurity, that they are a great *prejudice* to the *civil government*. Religion and government are of a very *different* nature, and men have no dominion over one another in matters of religion. 'Tis the obſervation of the *incomparable* Mr. *Lock*, the *honeſteſt*, the *ſincereſt*, the *wiſeſt* man, which *this or any other age or nation can boaſt of*, * " That ec-
" cleſiaſtical authority, whenceſoever it
" ſprung, ought to be confined with-
" in the bounds of the church; nor
" is it in any manner to be extended
" to

* *Vind.* of the *Teſt Act*, by a Gentleman of the Houſe of Commons, p. 17, 18.

" to civil affairs, becauſe the church it-
" ſelf is abſolutely ſeparate and di-
" ſtinct from the commonwealth. The
" boundaries on both ſides are fixed
" and immoveable. He jumbles heaven
" and earth together, things moſt re-
" mote and oppoſite, who mixes theſe
" two ſocieties, which are in their ori-
" ginal, end, and buſineſs, and in every
" thing diſtinct, and infinitely different
" from each other." So far was he from thinking that the church was *interwoven* with the ſtate, and that they muſt *neceſſarily ſtand and fall together*.

Now as the civil government is obliged to protect all its members, ſo it has a right to the help and aſſiſtance of them all, and ought never on any pretence to be deprived of the uſe of any, whom it may ſafely truſt, and uſefully employ, for the preſervation and benefit of the whole. It follows that *eccleſiaſtical qualifications* which incapacitate uſeful ſubjects for civil offices, ought to be removed, as an inconvenience to the magiſtrate, injurious to the ſubject, and prejudicial to the ſociety. The excluding a conſiderable body of men from publick ſervice, is evidently weak-

ening the force of the whole, and depriving the ſovereign and the government of their aſſiſtance and help. 'Tis cutting off one *reſource* of aid, and *tying* up the hands of its ſincere friends from ſerving and defending it; as a large detachment from a numerous army weakens the force of the main body. The *multitude of the people is the glory of the prince*, and the ſtrength of the government; and the more are capable of being employed in its ſervice, the greater is its advantage and ſecurity. Surely it can be no benefit to any government, to have fewer hands to employ, whatſoever it may be to thoſe who are employed.

As 'tis the intereſt of the government to be able to uſe the hands of all its ſubjects, ſo the government is neceſſarily weakened in *proportion* to the number which are incapacitated for it. Our enemies are ſenſible of this, whatſoever others are; they would not otherwiſe appear ſo ſolicitous, and violent, in their oppoſition to it. Their hatred of diſſenters is not chiefly becauſe they are *diſſenters*, or differ from the eſtabliſhed church about rites and impoſitions; but becauſe

becauſe they are known to be firmly attached to the *proteſtant ſucceſſion*, and never could be drawn by bribes, nor forced by terrors, to any thing which might tend to weaken and deſtroy it. The diſſenters *alone* can boaſt of the unſhaken loyalty of their *whole body*, to the royal family, in the worſt times, and in the greateſt danger to it. They ſuffered great hardſhips for the ſake of it, and diſdained to accept the advantages which were offered them, if they would fall in with the meaſures of the then adminiſtration. And where is the reaſon and wiſdom of diſobliging a great body of faithful friends to its own diſadvantage? How much more agreeable to all the rules of policy, to *leave room for all who are able and willing to ſerve it?* Would it not be worthy the wiſdom of your *auguſt Aſſembly* to enlarge the foundation, and ſet the government upon a wider bottom, that it may ſtand the firmer, and be the more ſecure?

If it be ſaid, There are men *enough* of the eſtabliſhed church to ſerve the civil government, as the preſent law directs, and there is no need of the help of the diſſenters: The church is better

pleaſed with its own members, and the government does not ſtand in need of any other: I only deſire that may not be ſaid in the caſe of *corporations*, and the elections of members of *parliament*; not to ſay, in many places, of the *commiſſions* of the peace, and the *inferior* offices of the government. Some of the greateſt and moſt flouriſhing corporations in *England*, are in a manner wholly in the hands of diſſenters, to the great ſecurity of the government, and without the leaſt damage to the church. In ſome places they are almoſt quite loſt, and in ſeveral others in certain danger of being quickly loſt, out of the hands of the hearty friends of the government, by theſe diſabling laws; the effects of which muſt be ſenſibly felt, in very important inſtances to the government's ſafety: And perhaps 'tis not ſufficiently conſidered or underſtood, how much the *common council* of the *city of London* would be affected by this alteration, which is of ſo great conſequence to the *honour* of the government at home and abroad.

In the caſe of the elections of members of *parliament* 'tis very notorious that any

any tolerable appearance on the ſide of the government, in moſt *county* elections, was owing to the weight of the diſſenters, in different parts of the kingdom. And as the intereſt of the preſent government is ſtrongeſt in *corporations*, and trading towns of the kingdom, ſo is the intereſt of the diſſenters too; and tho' they *alone* are not ſufficient to *chooſe* members in ſcarcely any place, they almoſt every where are capable of *turning* the ſcale, and are a balance by their weight, as *England* is in the ſcale of *Europe*; and hardly any place of conſequence in the kingdom chooſes well affected members without their aſſiſtance. The *commiſſions* of the peace, in ſome counties of *England*, and very generally in the north of *Ireland*, are hardly ſufficient to preſerve the publick peace, and diſpenſe impartial juſtice, upon this account: Not to mention the numbers of inferior *officers*, who eat the government's bread, and *curſe it in their heart*.

LET it not be thought invidious, only to ſuppoſe for argument ſake, That the whole diſſenting intereſt, who now act in concert, were only to *ſit ſtill* upon a publick election, and if they think themſelves

themſelves neglected and diſcouraged in ſerving the government, ſhould *cool* in their zeal to ſerve it; for I believe no conſideration whatſoever would ever be able to make them join with its enemies or do any thing to hurt it: let me ſeriouſly aſk you, *Sir*, Would the intereſt of the *preſent government* be ſo well ſupported, and the intereſt of the preſent *royal family* be well ſecured, without it? Theſe are things too evident to be denied, and of too great conſequence to be ſlighted. How far this may be thought worthy of the conſideration of your honourable Houſe, I ſhall not pretend to ſay: But if theſe things are *fact*, which I believe will hardly be denied, by thoſe who know the true ſtate of the kingdom, 'tis abundantly ſufficient to ſhew their importance to the government, and the juſtice of their expectation.

If it be ſaid, The church won't *bear* the repeal; I muſt beg leave to deny the charge, and am inclined to treat it as a *calumny*. What, won't the church bear that the king ſhould be well ſerved, the government better ſecur'd, proteſtants more united, and their hands ſtrengthened againſt the common enemy? Surely 'tis ſlander and defamation. However the church

church is but a *part* of the community, and it would be very unnatural for one part of it to claim privileges inconſiſtent with the rights of another, and prejudicial to the whole. If any are found ſo unreaſonable and perverſe, ought they to be gratified, at the expence of other mens rights, and of the publick good?

'Tis ſaid, It will put *difficulties* upon men in power, and endanger the *publick* peace. I anſwer, The *ſpirit of liberty*, which is now riſing among the gentlemen of *England*, would make the alteration eaſy to the adminiſtration, if it thinks fit to countenance and own it. But if it ſhould prove more difficult than, I believe, there is any preſent reaſon to apprehend, it would probably leſſen their *after* trouble, and recompence it with greater eaſe and ſafety. It would be a ſhort trouble, in order to a long reſt and laſting benefit. Men in power muſt have trouble, in one kind or other, the *perquiſites* of their honourable poſts: Their enemies will ſometimes create it them *unjuſtly*; their friends may ſometimes do it *unneceſſarily*; but ſurely a body of men who have been at ſo great trouble

trouble and expence, for ſo many years together, to ſerve the government and the adminiſtration, may reaſonably expect a little trouble to be taken upon their account, in ſo righteous a cauſe, and for the publick good. I can imagine no more danger in this attempt, than there was in repealing the *Occaſional* and *Schiſm* bills, which were warmly oppoſed from the ſame quarters, and with ſome circumſtances more unhappy, and leſs favourable. The honourable perſons in the adminiſtration will allow us to remind them, At whoſe *deſire* the attempt was declined the latter end of the laſt parliament; of the united *zeal* of the proteſtant diſſenters in the laſt election; the quiet and *ſettled* ſtate of the nation at preſent, and the proſpect of a *general* peace in *Europe*; the *generous* ſentiments of the preſent parliament; and the laſting *advantage* to the government itſelf.

And becauſe 'tis true of *cauſes* as well as *perſons*, that they are very much known by their *company*; give me leave, *Sir*, to aſk, Who are *againſt*, and who are *for*, the propoſed alteration. Why, All the *papiſts* and *jacobites* in the three kingdoms, the determined enemies of the government, to a ſingle perſon; all

all the *diſaffected* and indifferent to the government, among the gentlemen of *England*; and the *ambitious* and *bigotted* among the clergy, are all united againſt it. Is there an *enemy* to the government a *friend* to this deſign? Does not their zeal againſt it riſe in *proportion* to their diſaffection to it? On the contrary, Who are *for* it? Why, the whole church of *Scotland*; the entire body of *diſſenters* in *England* and *Ireland*; the *diſintereſted* friends of civil and religious liberty, among the gentlemen, and many of the more *conſcientious* and pious part of the clergy.

BUT 'tis time to ſhew, That 'tis a *debt of honour* due to the diſſenters. And becauſe this is not ſo generally *underſtood*, and many ſeem willing to *forget* it, I ſhall repreſent it the more at large. The engagements to the diſſenters are no piece of *ſecret hiſtory*; they have been publiſhed to the world by unqueſtionable authority, by perſons of great character, and higheſt ſtations both in church and ſtate. Biſhop *Burnet* in a publick ſpeech in the houſe of Lords 1703 obſerves, "That the *Teſt Act* was obtained in "ſome meaſure by the diſſenters aſſiſt-

" ance, and therefore it would be hard to " turn it againſt them?" He further obſerves, " When afterwards, in the " end of King *Charles*'s reign, a new " proſecution of the diſſenters was ſet " on foot, even then when the ſeverities " againſt them were very hard, they " were ſolicited by the agents of the " court, to petition for a general tolera- " tion, but they could not be prevailed " on."

It was at theſe critical times that the ſtrongeſt aſſurances were given the diſſenters of relief and favour, when it ſhould be in their power; and theſe engagements were ſo ſolemn, as to make the *prince of Orange* a *Guarantee* for the performance of them. The ſame Biſhop aſſured the world, * That the biſhops in the former reign had in that petition, upon which they ſuffered ſo gloriouſly, expreſs'd " a readi- " neſs to come to a juſt temper, in " all the matters of difference between " us, when they ſhould be brought be- " fore them in convocation or parlia- " ment." And among other meſſages which were ſent over to the *King*, being then

* Reflections on a Book concerning the Rights of an *Engliſh* Convocation.

then *Prince of Orange*, one was, "That "he would uſe all his intereſt with the "diſſenters, to hinder them from run-"ning into the *declaration* and the de-"ſign which was then promoted, of ani-"mating them againſt the church. Of "this, ſays the Biſhop, I may be allow-"ed to ſpeak confidently, becauſe it "paſſed thro' my own hands, and I "drew the directions which were given "to an eminent perſon who was employ-"ed in it. Upon theſe reaſons it was "thought, *the Prince* promiſed in his "*Declaration*, with which he came "over, That he would uſe his endea-"vours to bring about the ſo much de-"ſired union, between the Church of "*England* and the Diſſenters; ſo their "Majeſties were under engagements to "make the experiment."

THE Biſhop has given us a further material account of this tranſaction in his *Hiſtory*. "The clergy by the me-"thod in which they correſponded with "him, (the Prince of *Orange*) which "I ſuppoſe was chiefly by the Biſhop of "*London*'s means) had deſired him to "uſe all his credit with the diſſenters, "to keep them from going into the

" meaſures of the court; and ſent over " poſitive aſſurances, that in caſe they " ſtood firm now to the common inte- " reſt, they would in a better time come " into a comprehenſion of ſuch as could " be brought into a conjunction with " the church, and to a toleration of the " reſt."

WHEN *Dykvelt* was ſent *ambaſſador*, he had orders with reſpect to the diſſenters in particular, " to preſs them all to " ſtand off, and not be drawn in by any " promiſes the court might make them; " to aſſiſt them in the elections of par- " liament." He was alſo inſtructed " to aſſure them of a *full toleration*, " and likewiſe of *a comprehenſion* if " poſſible, whenſoever the crown ſhould " devolve on the Princeſs." The Biſhop further makes this remarkable declaration, in the name of the church. " * It is not to be doubted, but tho' " ſome weaker men of the clergy may " ſtill retain their peeviſh animoſities a- " gainſt the diſſenters, yet the wiſer and " more ſerious heads of that great and " worthy body ſee now their error; " they

* *Apology for the Church of* England *with relation to the ſpirit of perſecution.*

" they ſee who drove them on in it,
" till they hoped to have ruined them
" by it." He adds, " There ſeems to
" be no doubt left of the ſincerity of
" their intentions in that matter; their
" piety and virtue, and the proſpect they
" now have of ſuffering themſelves,
" put us beyond all doubt of their ſin-
" cerity. If ever God in his providence
" brings us into a ſettled ſtate, out of the
" ſtorms, into which our follies and paſ-
" ſions, as well as the treachery of others
" have brought us; it cannot be ima-
" gined that the Biſhops will go off from
" thoſe moderate reſolutions, which
" they have now declared; and they con-
" tinuing firm, the weak and indiſcreet
" paſſions of any of the inferior clergy
" muſt needs vaniſh, when they are
" under the conduct of wiſe and worthy
" leaders. And I will boldly ſay this,
" That if the church of *England*, after
" ſhe is got out of this ſtorm, will re-
" turn to hearken to the peeviſhneſs
" of ſome ſowre men, ſhe will be aban-
" doned of God and man, and ſet both
" heaven and earth againſt her. The
" *nation* ſees too viſibly, how dear the
" diſpute about *conformity* has coſt us,
" to ſtand any more on ſuch *punctilios*;

" and

" and thoſe in whom our *deliverance*
" is wrapt up, underſtand this matter
" too well, and judge too rightly of it,
" to imagine that ever they will be
" *prieſt-ridden* in this point. So that
" all conſiderations concur to make us
" conclude, that there is no danger of our
" *ſplitting* a ſecond time upon the ſame
" *rock*. And indeed if any arguments
" were wanting to compleat the certainty
" of this point, the wiſe and generous
" *behaviour* of the main body of the
" diſſenters, in the preſent juncture, has
" given them ſo juſt a title to our friend-
" ſhip, that we muſt reſolve to ſet all
" the world againſt us, if we can ever
" forget it, and if we do not make them
" *all the returns of eaſe and favour*,
" when 'tis in our power to do it."

Now what leſs could be expected from the good faith and honour of ſo large aſſurances, but that the wiſe and more ſerious heads of that great and worthy body ſhould concur in removing thoſe penalties and incapacities by law, which were obtained by the aſſiſtance of the diſſenters, in a time of common danger from *popery*, and was ſo great an inſtance of firmneſs and ſelf-denial, for the common

mon cauſe, and gave them ſo juſt a title to their friendſhip, that they muſt ſet heaven and earth againſt them, if they ſhould forget it, and not make them *all the returns of eaſe and favour*, when it was in their power to do it?

I AM not ſenſible of any thing which has the leaſt ſhew of reaſon, to ſave the *honour* of theſe engagements, but a pretence that they were anſwered at the *Revolution*, and diſcharged by the *toleration:* But, I think, it will eaſily appear, to fair and equal judges, that this pretence is very far from doing it. For what equal judgment can ſay, That while the diſſenters are under ſuch *incapacities* and *marks of reproach*, merely for their *nonconformity*, that they have a *full toleration*, as *Dykvelt* aſſured them from the *Prince*; or *all returns of eaſe and favour*, as *Biſhop Burnet* aſſured them in the name of the *Church*; and more *formally* in the name of the *wiſe and worthy leaders* of it, the *Biſhops*? Nor can it be underſtood that a relief from the incapacities of the Teſt act was not within the intention and meaning of thoſe engagements, for what reaſon ſoever it was that the diſſenters did not receive that

that return of eaſe at the Revolution. 'Tis plain *King William* thought ſo, and ſure he was a very good judge, thro' whoſe hands all theſe engagements paſſed, and who was made a *Guarantee* for them. He ſo far declared his own opinion and judgment in the caſe as to recommend it from the throne in his *Speech*, March 16. 1689. "I am with all the expedition "I can, filling up the vacancies that are "in offices and places of truſt, by the "late Revolution; and as I doubt not "you will ſufficiently provide againſt "papiſts, ſo I hope you will leave room "for the admiſſion of *all* proteſtants, "who are willing and able to ſerve."

When a bill for ſettling the *oaths* was brought into the Houſe of Lords, a ſelect committee was appointed to draw up a clauſe, to take away the neceſſity of taking the ſacrament, to make a man capable of enjoying any office, employment, or place of truſt. 'Tis true when the clauſe was brought in, according to order, it met with oppoſition, and was loſt: But what was the true reaſon of it? Why did that *clauſe*, and the bill *for comprehenſion*, tho' expreſsly promiſed, both miſcarry? Can any man who knows

knows any thing of the temper and management of thoſe times, imagine that they were both ſet aſide becauſe the legiſlature *really* thought thoſe promiſes were all honourably performed without them? Let Biſhop *Burnet*, who well knew the ſecret of thoſe times, tell the true reaſon: " The party that was now " beginning to be formed againſt the " government, pretended great zeal for " the church, and declared their appre- " henſions that it was in danger. It " was moreover ſet up for a maxim, " that it was fit to keep up a ſtrong " faction both in church and ſtate; and " they thought that it was not agree- " able to that, to ſuffer ſo great a body " as the preſbyterians to be made more " eaſy, or more inclinable to unite with " the church. They alſo thought that " the *toleration* would be beſt main- " tained, when great numbers ſhould " need it, and be concerned to preſerve " it; and the clergy began now to ſhew " an *implacable hatred* to the *noncon-* " *formiſts*, and ſeemed to wiſh for an " occaſion to renew old ſeverities againſt " them.

He obſerves elſewhere, concerning the deſired union between the church and diſſenters: "It is true it did not ſuc-
"ceed; a formed reſolution of con-
"ceding to no alteration at all, in
"order to that union, made that the
"attempt was laid aſide. I will not
"enter, ſays the Biſhop, into further
"reflections on mens behaviour at that
"time. It plainly appeared it was not
"a proper ſeaſon, to try to make peace;
"attempts that way were more likely
"to create new rents, than to heal old
"ones."

But ſure ſuch a *temper*, ſuch *maxims*, ſuch *views*, as theſe, did not ariſe from an honourable regard to the *faith* of former promiſes and engagements, of *all returns of eaſe and favour* to the diſſenters; ſure the friends of the Revolution did not leave a riſing faction of *Jacobites* to make good their promiſes; nor can the *wiſe and worthy leaders* of the church be thought to anſwer their engagements, by the *weak and indiſcreet* paſſions of any of the inferior clergy. Theſe engagements therefore ſeem plainly to want ſome-

thing

thing ſtill, in *equity* and *honour*, to make them good.

If it be ſaid, in the laſt place, But what ſecurity will remain againſt *papiſts* being admitted to places of truſt and power, if the *corporation* and *teſt* acts are altered? If you admit the *proteſtant diſſenters*, you leave room for the *papiſts* at the ſame time, and remove a great *barrier* to the common ſafety of the *government*, and of the *church*. I anſwer, If the diſſenters deſired to be relieved upon theſe terms, I think they would be wanting to the common intereſt, and be much to blame. But if it can be made to appear that there is no juſt conſequence or connection between the one and the other, there will be no force in this objection. And I would be willing to leave it upon that iſſue. Now it muſt be allowed the *Teſt Act* was originally deſigned and levelled againſt the *papiſts*, as the *title* of it ſhews, and not at *proteſtant diſſenters*; but then it muſt be conſidered at what *time*, and in what *circumſtances*, it was framed. It was when *a King* popiſhly affected at leaſt, was upon the throne, and a *popiſh ſucceſſor*, zealous and bigotted to his re-

ligion, was always in view. The papiſts were viſibly favoured and cheriſhed, and the danger immediately was from them, in the *miniſtry*, and in the greateſt *poſts*; as well as by the *ſecret alliance* with *France*. This juſtly gave an alarm of danger to the nation, and put men upon every contrivance for its ſafety; though it was with a promiſe of redreſs at the ſame time, for which I ſuppoſe they thought *ſome time* would be *proper*. It was deſigned as a preſent relief under a preſſing danger, from that quarter. But that reaſon wholly ceaſes under a *proteſtant* King, and when all *papiſts* ſtand excluded, by act of parliament, from ever ſitting upon the throne again. So that however proper it might be at that time, there is no reaſon for the continuance of it now, when there is no longer the ſame occaſion for it. I know not by what ſtrange fate it came to be turned aſide from its original deſign to a purpoſe directly contrary, and that an act made againſt papiſts, in a popiſh reign, ſhould be turned againſt proteſtants under a proteſtant prince.

Besides, it does not follow that it was *rightly* judged, or proper *in itſelf* in

any

any circumſtance, becauſe it once paſſed into a law, or that it was agreeable to principles of true *religion*, or ſound *policy*; which I particularly conſidered in the former letter. And as nothing is more uſual than to alter a law which has been found inconvenient, ſo ſad experience hath long ſhewn the ill effects it has had both upon religion and the government too. 'Tis very obſervable that the ſame parliament which paſſed the *corporation* and *teſt acts* in 1661, and 1672, brought in a *bill* upon cooler thoughts and further experience, for the *eaſe* of *proteſtant diſſenters* in 1678; and in the ſame year paſſed the famous act for *diſabling papiſts from ſitting in either houſe*, which has been found fully effectual ever ſince without the help of the *Teſt*. If this therefore were never ſo proper in itſelf, 'tis not *the only* expedient, or the *ſingle* means of excluding papiſts. The law itſelf has provided a better and more effectual one.* And that which alone is found ſufficient, by many years experience, in the *higheſt truſt*, and *greateſt honour*, which any ſubject

* This is diſtinctly repreſented, and with unanſwerable force, in the *Reaſonableneſs of applying for the repeal*; and which his *Anſwerer* has not ſeen fit to touch.

ſubject is capable of, that is, of ſitting in either houſe of parliament, and bearing a part in the *legiſlature*, may well be thought ſufficient for the leſſer poſts of commiſſions and corporations.

NOR is there any ſuch thing in any *proteſtant* church in the world beſides; and are we the *only* nation who cannot be ſafe from the danger of *popery*, without the *Sacramental Teſt?* After all, it leaves it in the power of the *ſovereign* and of the *corporations* whom to employ, and chooſe, into poſts of truſt and influence, and I ſuppoſe there is no danger, in a proteſtant country, and under a proteſtant government, of either of them preferring any papiſts.

I ASK your pardon for this long trouble, and am, Sir, with great eſteem,

Your much Obliged

Humble Servant.